



**CITY OF ILWACO
CITY COUNCIL MEETING
Monday, July 23, 2012**

A. Call to Order

Mayor Cassinelli called the meeting to order at 6:00 p.m.

B. Flag Salute

The Pledge of Allegiance was recited.

C. Roll Call

Present: Mayor Cassinelli and Councilmembers Jensen, Mulinix, Marshall, Chambreau and Forner.

D. Approval of Agenda.

ACTION: Motion to approve agenda (Mulinix/Chambreau). 5 Ayes 0 Nays 0 Abstain.

E. Approval of Consent Agenda

Including Checks 34417 to 34418 + electronic totaling \$15,589.71 and Checks 34419 to 34447 totaling \$122,029.93 plus additional check #34448 for \$38,716.30.

ACTION: Motion to approve the consent agenda with the amendment to add check #34448 for \$38,716.30 to the Bank of Pacific (Mulinix/Forner). 5 Ayes 0 Nays 0 Abstain.

F. Presentations

1. Audit Exit

Angela Cady and Corrine Schmid from the Washington State Auditor's office reported that the recent Accountability Audit conducted on 2011 was free of findings or management letters. Ms. Cady explained how the city's 2009 finding for financial condition issues had been downgraded to a management letter in 2011. She noted the city's continued improvement on financial condition.

G. Reports

1. Staff Reports

- a. Fire Secretary Gary Forner noted the Ammonia class held at the station on Saturday and the need for ammonia suits.
- b. Councilmember Mulinix mentioned the continued work being done on the easement around Black Lake.
- c. Treasurer Elaine McMillan provided a written report comparing the activity of the first six months of 2012 to the first six months of 2011. She informed the council about a meeting held regarding the watershed, that the budget process had been kicked off, the new Transportation Improvement Board grant application cycle was open, Department of Ecology award letters are in their packet, and if there is ever any information they need to please contact city hall.

- d. Police Chief Flint Wright discussed the Law Enforcement Training simulator that was being provided by Canfield to his department for training.
- e. City Engineer Nancy Lockett provided a written report on the current projects. The mayor commented that there have recently been issues with the backwash basin at the water plant. The project to improve it is very timely.

2. Council Reports

- a. Councilmember Mulinix attended the Planning Commission meeting.
- b. Councilmember Marshall noted that he had done additional work on the sewer rate study and asked when the next workshop would be held.

3. Mayor's Report

Mayor Cassinelli attended the recent meeting with Longview Timber regarding future logging in the watershed. He noted the award letters from the Department of Ecology and the significant savings the refinance of debt would bring the city in the long run.

4. Comments of Citizens and Guests present

None

H. Business

1. TIB project engineering supplements

Councilmember Jensen explained that the Transportation Improvement Board was able to provide the additional funding for the School Road project, but not Brumbach. He suggested that the School Road project could be awarded and the Brumbach and sidewalk project be re-bid next spring. The corresponding engineering supplement would need to be awarded. Councilmember Mulinix questioned why all three would not be re-bid. It was explained that the Brumbach project needs to be reviewed for additional work, however, the School Road work could go forward.

ACTION: Motion to approve the mayor to execute the proposed Engineering Supplement No. 3 for \$68,466 for the School Street Reconstruction Project (TIB No. 6-W-959(002)-1). (Mulinix/Forner). 5 Ayes 0 Nays 0 Abstain.

2. Delinquent/Termination Notice policies for past due accounts

There was various discussion regarding notification to customers, some of the wording such as the \$50 fee, whether it should be end or last day of the month in paragraph B of 13.06.020, and the language regarding liens. Councilmember Chambreau recommended it be sent back to the committee.

ACTION: Motion to adopt the proposed ordinance amending IMC 13.06, Combined Water/Sewer Billing, to add stormwater billing and modify delinquency policies, fees, penalties and interest and delete the words "to turn the water off/on" from 13.060.20 (Marshall/Mulinix). 5 Ayes 0 Nays 0 Abstain.

3. First Addendum to Development Agreement for MSW/Overlook Trails

The council was reminded of the attorney's advice that a staff recommendation from the planner and public hearing needed to occur.

ACTION: Motion to refer to planner and establish a time for a public hearing. (Jensen/Mulinix). 4 Ayes 0 Nay 0 Abstain.

Councilmember Marshall came back into the meeting room.

4. Goulter Sludge Disposal Site Contract and Option Agreement

Councilmember Marshall asked if there were any other significant changes.

ACTION: Motion to authorize the mayor to execute the proposed Sludge Disposal Site Contract and Option Agreement and Agreement for Purchase and Sale between the City of Ilwaco and Goulter family. (Jensen/Chambreau) 4 Ayes 0 Nays 0 Abstain.

Councilmember Forner then came back in the meeting room.

5. School Road/Brumbach/Sidewalk project bid award

Councilmember Jensen commented on the letter that had been received from the contractor that he was willing to work on change orders to reduce costs.

ACTION: Motion to authorize the mayor to award the School Road project. (Marshall/Mulinix) 5 Ayes 0 Nays 0 Abstain.

I. Discussion

1. First Addendum to Development Agreement for MSW/Overlook Trails

Mayor Cassinelli asked if councilmember Marshall was going to recuse himself.

Discussion ensued regarding prior discussions with the state auditor as to when it is appropriate to recuse oneself. The mayor suggested the item could be pulled from the agenda pending an opinion from the auditor. Discussion ensued whether it was necessary to recuse when an item was only on the agenda as discussion. Councilmember Marshall recused himself under duress and left the room. The mayor explained that the attorney's had been going back and forth on various language in the document since the council initially saw it at the end of March. Councilmember Mulinix reviewed what had been discussed at the meeting in March regarding the available ERU's in the reservoir and their future use. She felt the terms entered in the draft were acceptable.

ACTION: Motion to move to business item tonight. (Chambreau/Forner) 4 Ayes 0 Nay 0 Abstain.

2. Goulter Sludge Disposal Site Contract and Option Agreement

Councilmember Forner recused himself and left the room. The mayor explained that the major difference in the contract was better property descriptions. It was noted that the sewer plant operator had some concerns that would be addressed via a letter. **ACTION: Motion to move to business item tonight. (Chambreau/Jensen) 4 Ayes 0 Nay 0 Abstain.**

3. School Road/Brumbach/Sidewalk project bid award

ACTION: Motion to move to business item tonight. (Marshall/Chambreau) 5 Ayes 0 Nay 0 Abstain.

4. Resolution and ordinance amending the sewer rate structure and fee schedule

Councilmember Marshall questioned whether or not there had been agreement to conclude workshops on the issue. Mayor Cassinelli agreed to schedule a workshop on the issue before the next meeting at 5pm.

ACTION: Motion to add the letter from State Parks to the Discussion for this evening. (Marshall/Chambreau) 5 Ayes 0 Nay 0 Abstain.

5. Letter from Washington State Park regarding dispute resolution regarding new sewer rate structure and overpayment

Mayor Cassinelli explained that he had contacted State Parks and sent them the two drafts of the pending legislation. The wording in the existing contract and the placement of the current meter were discussed.

J. Correspondence and Written Reports

1. Resignation of Ron Willis from Planning Commission.
2. DOE 2013 Final Water Quality Funding Offer letters for First Avenue North Sewer Improvements, Wastewater Plant Debt Refinance and Sahalee Sewer Improvements.

K. Future Discussion

1. Chicken Ordinance – *Mulinix/Marshall*
2. Amended Procedures Ordinance—*City Planner*

L. Adjournment

ACTION: Motion to adjourn the meeting (Forner/Mulinix). Mayor Cassinelli adjourned the meeting at 7:25 p.m.

Mike Cassinelli, Mayor

Elaine McMillan, Treasurer